

him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. TASK FORCE ON DISCRIMINATION IN HIGHER EDUCATION OF ASIAN AMERICANS.**

The Attorney General, in coordination with the Secretary of Education, shall establish a task force to investigate, and provide proposals for remedies to, discrimination by institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) against Asian Americans in recruitment, applicant review, and admissions.

**SA 1415.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. RESTRICTION ON THE RELEASE OF INDIVIDUALS WHO UNLAWFULLY ENTER THE UNITED STATES.**

(a) FINDINGS.—Congress finds the following:

(1) There was a 71 percent increase in the number of illegal immigrant encounters by U.S. Customs and Border Protection agents between February and March 2021.

(2) In March 2021, more than 172,000 illegal immigrants were intercepted by U.S. Customs and Border Protection agents, including 53,000 illegal immigrants who entered the United States as part of a family group.

(3) Although Federal law requires the Department of Homeland Security to detain, pending the completion of removal proceedings, any alien who is not “clearly and beyond a doubt entitled to be admitted”, as of April 2021, the Department of Homeland Security is releasing many such individuals into communities in Texas and other border States, which has caused a significant strain on such communities and on State and local governments that lack the resources and infrastructure to care for so many individuals.

(b) RESTRICTION.—The Department of Homeland Security may not release any individual who unlawfully entered the United States into any State, county, or city in the United States unless the governor of such State and the governing body of such county and city expressly consent to such release.

(c) CAUSE OF ACTION.—A violation of subsection (b) shall give rise to a cause of action against the Federal Government by a State, county, or city into which jurisdiction such individual was released.

**SA 1416.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.**

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution

has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

**SA 1417.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. LIMITATION ON RELEASE OF ALIENS DETAINED FOR UNLAWFULLY ENTERING THE UNITED STATES.**

(a) IN GENERAL.—The Department of Homeland Security may not release from custody any alien who is detained for unlawfully entering the United States unless such alien tests negative for COVID-19 during the 24-hour period immediately preceding the alien's release.

(b) SAVINGS PROVISION.—Nothing in this Act may be construed to authorize the release any person from the custody of the Department of Homeland Security who is not otherwise authorized by law to be released.

**SA 1418.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 3, strike “or disability” and insert “disability, or status as a law enforcement officer or member of the armed forces”.

**SA 1419.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. DEATH PENALTY ELIGIBILITY.**

Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

**SA 1420.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.**

Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a

firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of—

“(i) the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person; and

“(ii) the actual or perceived relationship to the spread of COVID-19 of any person because of the characteristic described in clause (i), shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.”; and

(4) in paragraph (4), as so redesignated—

(A) by striking “(1) or in paragraph (2)(A)” and inserting “(1), in paragraph (2)(A)”;

(B) by inserting “, or in paragraph (3)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (3)(B))” after “paragraph (2)(B))”

**SA 1421.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. ENHANCED PENALTIES FOR COVID-19 HATE CRIMES.**

(a) DEATH PENALTY ELIGIBILITY.—Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

(b) INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.—Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive